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SIMTEK5685

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appellants: Tatsuya Anma
Hideaki Takahashi

App. No.: 09/712751

Filed: December 20, 2000


Title: SINGLE-PHASE MULTIPOLAR
MAGNET TYPE GENERATOR
FOR VEHICLES

Art Unit: 2834

Conf. No: 6449

I hereby certify that this correspondence and all
marked attachments are being deposited with
the United States Patent Office via fax to (703)
872-9319 on:

February 20, 2005


Ernest A. Beutler
Reg. No. 19901

RESPONSE TO PHONE CALL

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

This is in response to the Examiner's phone call last week with request to Appellant's filing of February 11, 2005. Appellant's attorney apologizes for not responding sooner. He was working at another location and could not access his voice mails from there.

In any event he is responding via fax as he would like the written record to show the status. First the Examiner requested a written change of address in this case. Appellant's attorney filed such a request against his Customer Number some time ago and other Office Actions have been sent to that address that appears below and in his earlier mailing. It appears that the clerical person preparing the New Brief complained of merely used the previous address rather than checking the records to determine the correct address and no further filing in this regard is required.

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In addition, the Examiner stated that his new brief cited no new art. But this is also incorrect. The new Examiner's Answer cites for the first time Modern Dictionary of Electronics the date of which is not specified and a copy of which was not supplied.

Finally the Examiner has not cited any authority for filing at this late date a new and different answer that is not in response to any new filing by appellant and apparently has no support in the Rules or Statute. In addition this is believed to unnecessarily extend the prosecution for no apparent good reason and it is not clear if appellant can reply to this or if this new answer is in substitute for the earlier answer or in addition to it.

Respectfully submitted,



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